

REMARKS

Applicant has reviewed Examiner's reasons for rejection in the Office Action dated 7/5/2002. This response is believed to address the rejections. Claims 7-42 are pending. The Office Action rejected all pending claims under 35 USC §§102 and 103. In addition Examiner rejected claim 39 under 35 USC 112 for lack of antecedent basis. This is corrected herein. A clean copy of the currently pending claims is enclosed.

Telephone Interview on October 1, 2002

Applicant thanks Examiner Kyle for the courtesies shown during the telephone interview on October 1, 2002. No agreement was reached at that time, and Examiner Kyle suggested that Applicant present his arguments in a written form.

Amendment to Claim 39

Claim 39 is amended to recite the claim language more clearly. Examiner is requested to review and enter the amendment. No new matter is added as a result of this amendment.

Rejection of Claims 7-42

Examiner rejected all the currently pending claims based on USP 5,873,071 to Ferstenberg et al., (submitted by Applicant in an IDS) under 35 USC §§102 and 103 as being anticipated and obvious. Applicant presented arguments in response to an earlier office action with an identical rejection. Those arguments are hereby incorporated by reference and further explanation is provided herein.

As to the claims 7-38, the language "intangible property", Applicant clearly distinguished between the corporate security-type of property, which is sold in the stock exchanges such as the New York Stock Exchange and the type of property interests claimed herein. During the telephone interview, Examiner suggested that Applicant present different language clarifying the distinction. Applicant reserves his right not to

amend the language, but will attempt to clarify after a further interview with the Examiner.

As to the dependent claims, Applicant believes that Ferstenberg and the other art cited did not teach or suggest nor could they be combined, i.e., it would not have been obvious to one skilled in the art, to arrive at the property interests claimed specifically in the dependent claims, such as patent, trademark, copyright, license, lease, goodwill, right to use of a place, right to bring a lawsuit against a party, right to a person's time, right of way, right to navigate along a route, right to use of genetic information, and other rights. Therefore, these claims are allowable, pending a discussion of the clarity of claim language. Applicant requests the Examiner to consider this and allow the dependent claims pending further prosecution of the broader claims.

Conclusion

This Amendment is filed with a request for an RCE under 37 CFR §1.114. A check for \$532 is enclosed. The Commissioner is requested to establish an RCE and continue prosecution. A clean copy of the currently pending claims is attached.

Respectfully Submitted,

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I certify that on October 7, 2002, this paper is mailed via the "Express Mail Post Office to Addressee" service in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231.


Naren Chaganti.